

USDOL/OALJ Reporter

[*Rex v. Ebasco Services, Inc.*, 87-ERA-6 \(ALJ May 22, 1995\)](#)

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Date: May 22, 1995

Case Nos. 87-ERA-6
87-ERA-40

In the Matter of:

JOHN C. REX,
Complainant

v.

EBASCO SERVICES, INC.
Respondent,

and

THE SOLICITOR OF LABOR

on behalf of

THE ADMINISTRATOR, WAGE & HOUR DIVISION, EMPLOYMENT STANDARDS
ADMINISTRATION
Party in Interest

**ORDER CANCELLING HEARING AND RECOMMENDING APPROVAL OF
SETTLEMENT
AND DISMISSAL OF PROCEEDINGS**

On October 3, 1994, the Secretary of Labor ordered the appointment of an Administrative Law Judge to hold a hearing and make a recommendation as to whether sanctions should be imposed against Attorneys Billie Pirner Garde and Robert Guild ("the Attorneys") for their alleged misconduct in the above-captioned matter. The Secretary ordered the Solicitor of Labor to present any case for imposition of sanctions and authorized the Solicitor to enter into a settlement of the matter, subject to the Secretary's approval.

On May 11, 1995, the Solicitor and the Attorneys, by counsel, entered into a settlement agreement, attached hereto and incorporated by reference herein. The Solicitor has determined that the evidence is insufficient to support a finding that the Attorneys engaged in professional conduct which warrants the imposition of sanctions. I find that the terms of the settlement are fair, adequate, and reasonable. Accordingly, the hearing scheduled for May 23, 1995 is hereby CANCELLED.

RECOMMENDED ORDER

IT IS HEREBY ORDERED THAT

1. The settlement agreement in this matter is approved.
2. The Government Accountability Project, which employed the attorneys, shall reimburse the United States Department of Labor for the cost of ALJ Ramsey's trip to Houston, Texas, in the amount of four hundred fifty-one dollars (\$451.00), which expense may have been unnecessarily incurred, and the Attorneys will attempt to avoid such situations in the future.
3. The proceedings against the Attorneys are hereby dismissed with prejudice.
4. A copy of this Order will be distributed to all Department of Labor Administrative Law Judges within 30 days.

EDITH BARNETT
Administrative Law Judge

DATED:
Washington, D.C.
EB/BLS:bdw
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